



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Lisa D. Bronk

Applicant : Gregory H. Bearman, et al. Confirmation No. 1886  
Application No. : 10/817,297  
Filed : April 2, 2004  
Title : SYSTEM AND METHOD FOR MONITORING CELLULAR ACTIVITY  
  
Grp./Div. : 1654  
Examiner : Louise N. Leary  
  
Docket No. : 52316/RAG/C766

**TRANSMITTAL FOR TERMINAL DISCLAIMER TO  
OBVIATE A DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
November 9, 2005

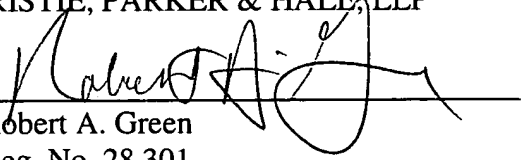
Commissioner:

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection and the statutory fee of \$65.00.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any credit or charge to our Deposit Account. A copy of this letter is enclosed.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Robert A. Green  
Reg. No. 28,301  
626/795-9900

RAG/ldb

Enclosures: Terminal Disclaimer  
Check; Copy of letter

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**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
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November 9, 2005

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

CALIFORNIA INSTITUTE OF TECHNOLOGY, a California corporation having a place of business at 1200 East California Boulevard, Mail Stop 201-85, Pasadena, California 91125, represents: (a) that it is the assignee of the entire interest in U.S. Patent Application No. 10/817,297, filed April 2, 2004, and entitled SYSTEM AND METHOD FOR MONITORING CELLULAR ACTIVITY, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011257, frame 0934; (b) that it is the assignee of the entire interest in U.S. Patent No. 6,750,036, by virtue of the assignment recorded at reel 011257, frame 0934; and (c) that it is the assignee of the entire interest in U.S. Patent No. 6,403,332, by virtue of the assignment recorded at reel 011257, frame 0934.

CALIFORNIA INSTITUTE OF TECHNOLOGY hereby disclaims the terminal part of any patent granted on the above-identified U.S. Patent Application No. 10/817,297, which would

**Application No. 10/817,297**

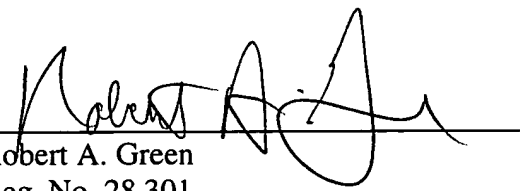
extend beyond the expiration date of either of U.S. Patent Nos. 6,750,036 and 6,403,332, and hereby agrees that any patent so granted on the above-identified U.S. Patent Application No. 10/817,297 shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent Nos. 6,750,036 and 6,403,332, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, CALIFORNIA INSTITUTE OF TECHNOLOGY does not disclaim the terminal part of any patent granted on U.S. Patent Application No. 10/817,297 that would extend to the expiration date of the full statutory term, as defined in 35 U.S.C. 154 to 156 and 173, of either of U.S. Patent Nos. 6,750,036 and 6,403,332, as presently shortened by any terminal disclaimer, in the event that either of U.S. Patent Nos. 6,750,036 and 6,403,332 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Robert A. Green  
Reg. No. 28,301  
626/795-9900

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